



U.S. Department
of Transportation

Pipeline and Hazardous Materials
Safety Administration

12300 W. Dakota Ave., Suite 110
Lakewood, CO 80228

NOTICE OF AMENDMENT

VIA UPS GROUND: 1ZWR25880398921516

December 3, 2012

Mr. Bijan Agarwal
VP Commercial Assets, Alaska
Kuparuk Transportation Company
700 G Street
Anchorage, Alaska 99510

CPF 5-2012-5018M

Dear Mr. Agarwal:

On July 23, 2012, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, inspected ConocoPhillips' Control Room Management procedures in Prudhoe Bay, Alaska.

On the basis of the inspection, PHMSA has identified inadequacies within ConocoPhillips' plans or procedures, as described below:

1. **§195.446 Control room management.**
 - (d) **Fatigue mitigation. Each operator must implement the following methods to reduce the risk associated with controller fatigue that could inhibit a controller's ability to carry out the roles and responsibilities the operator has defined:**
 - (4) **Establish a maximum limit on controller hours-of-service, which may provide for an emergency deviation from the maximum limit if necessary for the safe operation of a pipeline facility.**

ConocoPhillips' "Controller Shift Management Procedure, NSPL-0000-PL-5407, Section 2.2.2" states, "Any time a Controller works one or more shifts in a different duty role, the consecutive shift counts as a Controller reverts to zero." ConocoPhillips must amend the procedure to indicate that all work is included in "Hours of Service."

2. **§195.446 Control room management.**

(d) Fatigue mitigation. Each operator must implement the following methods to reduce the risk associated with controller fatigue that could inhibit a controller's ability to carry out the roles and responsibilities the operator has defined:

(4) Establish a maximum limit on controller hours-of-service, which may provide for an emergency deviation from the maximum limit if necessary for the safe operation of a pipeline facility.

ConocoPhillips' "Controller Shift Management Procedure, NSPL-0000-PL-5407, Section 2.2.3" states, "However, in the event a Controller works an extended hitch (more than 14 days of 12 hours) this may not always be the case. When returning to duties, the time off between hitches will be a minimum of 36 hours," and, "In the event of an exception to this requirement, the Exception Approval process must be followed."

ConocoPhillips must amend their procedure and remove the exception, or prepare a procedure justifying the use of the exception for not requiring a Controller to have a minimum of 35 hours of time off between hitches.

3. **§195.446 Control room management.**

(d) Fatigue mitigation. Each operator must implement the following methods to reduce the risk associated with controller fatigue that could inhibit a controller's ability to carry out the roles and responsibilities the operator has defined:

(1) Establish shift lengths and schedule rotations that provide controllers off-duty time sufficient to achieve eight hours of continuous sleep;

ConocoPhillips' "Controller Shift Management Procedure, NSPL-0000-PL-5407, Appendix A" includes "Exception Process Approval Form" which states, "This form should be used to document the approved decision to allow Controller work shift in excess of 15 hours when 8 hours of bed rest will not be afforded, hitches in excess of 21 days, or instances of less than 36 hours off between Controller hitches. It should be used on a case by case basis, in advance of the shift exceptions." ConocoPhillips must amend its procedure to allow controllers time sufficient to achieve eight hours of continuous sleep.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b). If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the

allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

If, after opportunity for a hearing, your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.237). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 90 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that ConocoPhillips maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Dennis Hinnah, Deputy Director, Western Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 5-2012-5018M** and send all documents to 188 W. Northern Lights Blvd., Suite 520, Anchorage, AK 99503. For each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Hinnah", written in a cursive style.

Dennis Hinnah
Deputy Director, Western Region
Pipeline and Hazardous Materials Safety Administration

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*

cc: PHP-60 Compliance Registry
PHP-500 B. Flanders (#138251)
Ann Peltier, DOT Program Coordinator